

### REMARKS

Applicant has carefully reviewed the Application in light of the Final Office Action dated October 29, 2007 ("Office Action"). Claims 35, 38, 43, 48, and 52 are pending. Claims 36-37, 39-42, 44-47, and 49-51 have been canceled. Claim 35 has been amended to incorporate all limitations of cancelled Claim 37, Claim 43 to include all limitations of cancelled Claim 47, and Claim 48 to include all limitations of cancelled Claim 51. Claims 38 and 52 have been amended to depend from amended Claims 35 and 48 respectively. Claims 19-34 were previously withdrawn. No new matter has been added. Applicant respectfully requests reconsideration of the application in accordance with the following remarks.

#### *Claim Rejections – 35 U.S.C. § 112*

Claims 35, 43, and 48 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement. In addition, Claims 44 and 45 were also rejected under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with this same requirement.

Claims 35, 43, and 48 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement for "contain[ing] subject matter which was not described in the specification in such a way as to enable one skilled in the art...to make and/or use the invention." (Office Action, p. 2, ¶ 4.) It is contended that the limitations "second set of encrypted codes" and "second encrypted code" were not disclosed in Applicant's specification. *Id.* The specification of the instant application itself gives ample support for the limitations "second set of encrypted codes" and "second encrypted code," thereby meeting the requirement that one skilled in the art be able to make and use the claimed invention using the application as a guide. *See In re Brandstadter*, 484 F.2d 1395, 1406-07 (CCPA 1973); MPEP § 2164.05. The specification explicitly discloses that "the travel system varies the Label Codes from one web page to another." (Application, p. 12, ll. 1-2.) Further, the specification teaches that tag attributes, necessarily including corresponding computer code, whether it be HTML or otherwise, can be "assigned encrypted values that vary from one web page to another...." (Application, p. 14, ¶ 3.) Accordingly, the specification supports methods, articles, and systems

transmitting and receiving multiple sets of codes from web page to web page. Furthermore, the specification discloses that internet browsers, and other like computer programs, allow the user to access numerous web pages (Application, p. 8-9.) and nowhere does the specification state or suggest that all code sets exist in or are limited to a single web page or communication executed by the claimed systems, methods, and articles.

As the Office itself identifies in the Office Action, the specification in fact provides a specific example of a “second set of encrypted codes.” The specification provides a detailed discussion of a first set of codes and their further encryption (Application, pp. 9-13) in conjunction with a first screen **200**. The first screen **200** allows a user to transmit flight information to the travel system. (Application, p. 13, ¶¶ 1-2.) The specification further discloses a responsive flight information screen **800** sent by the travel system to the user following the travel system’s sending of first screen **200**. (Application, p. 15, ¶ 2.) The specification explicitly provides that a set of codes, in this case html code, is associated with this responsive flight information screen **800**. *Id.* This is an example of a “second” set of codes in addition to the first set described in connection with the first screen **200**. Additionally, the specification specifically provides that code sets may be advantageously “assign[ed] encrypted values that vary from one web page to another.” *Id.* at p. 14, ¶ 3. As a result, one of ordinary skill in the art, upon reading the specification as a whole, would naturally understand that the second set of codes corresponding to the responsive flight information screen **800** also could, and advantageously would, be encrypted.

Emphasizing enablement and disclosure of these limitations even more pointedly, the responsive flight information screen **800**, an example of a second set of codes, illustrates a code “Depart Time” (illustrated in the upper-left hand corner of the screen **800**). This same “Depart Time” code is also associated with the first screen’s **200** set of codes (the “first set of codes” in this example), shown as radio buttons **212**. This example and the corresponding figures neatly illustrate one potential mode for realizing “a second set of encrypted codes corresponding to a second set of codes, the second set of codes including the first code, the second set of encrypted codes including a second encrypted code corresponding to the first code, the second encrypted code different from the first encrypted code.”

In that the “specification disclosure...contains a teaching of the manner and process of making and using an invention in terms which correspond in scope to those used in describing and defining the subject matter sought to be patented,” MPEP § 2164.04, Applicant respectfully submits that these 35 U.S.C. § 112, first paragraph rejections are entirely improper.

Claims 44-45 were rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the enablement requirement. In that neither of these claims is currently pending, Applicant respectfully requests that this rejection be withdrawn.

Claims 35-37, 43-46, and 48 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Office asserts that the following limitation is indefinite:

“[I]dentifying a second set of codes, each code in the second set of codes associated with a human-readable label for presentation to the user of the computer, the second set of codes including the first code; and generating a second set of encrypted codes corresponding to the second set of codes, the second set of encrypted codes including a second encrypted code corresponding to the first code, the second encrypted code different from the first encrypted code.”

Applicant respectfully submits, pointing again to the above discussion relating to the enablement of this and similar limitations, that an indefiniteness rejection, under 35 U.S.C. § 112, second paragraph, is improper in this instance.

MPEP 2172 sets forth that “[an indefiniteness rejection based on failing to particularly point out and distinctly claim the subject matter of the invention] is appropriate *only* where applicant has *stated, somewhere other than in the application as filed*, that the invention is something different from what is defined by the claims” (emphasis added). Further, “the invention set forth in the claims must be presumed, in the absence of evidence to the contrary, to be that which applicants regard as their invention.” *Id.* Applicant has nowhere maintained that the limitations regarding a “second encrypted code” or “second set of encrypted codes,” is anything other than that disclosed in the application. Furthermore, as discussed above, Applicant has provided ample and consistent disclosure of these limitations in the specification. Accordingly, Applicant respectfully submits that these 35 U.S.C. § 112, second paragraph rejections are also improper.

***Claim Rejections – 35 U.S.C. § 103***

Claims 35-36, 39-46, and 49-50 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,801,226 to Daughtrey (“*Daughtrey*”) and further in view of U.S. Patent No. 6,442,276 to Doljack (“*Doljack*”).

Applicant thanks the Examiner for the indication that Claims 37-38, 47, and 51-52 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph. However, in light of the comments above, Applicant respectfully submits that this rejection based on 35 U.S.C. § 112 should be withdrawn. Accordingly, because Claims 35, 43, and 48 were respectively amended to incorporate the limitations of allowable claims 37, 47, and 51, these claims are now in condition for allowance, as well as Claims 38 and 52 depending therefrom. Additionally, Claims 36, 39-42, 44-46, and 49-50 are no longer pending. Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. § 103(a) rejections.

### CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the above, and for other reasons clearly apparent, Applicants respectfully submit that the Application is in condition for allowance, and request such a Notice. If the present Application is not allowed and/or if one or more of the rejections is maintained or made final, Applicants hereby request a telephone conference with the Examiner and further requests that the Examiner contact the undersigned attorney to schedule a telephone conference.

No additional fees are believed due. However, the Commissioner is hereby authorized to charge any other deficiencies or required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

Respectfully submitted,

Date: December 31, 2007

/J. Kyle Komenda/  
J. Kyle Komenda  
Reg. No. 56,556

Fish & Richardson P.C.  
1717 Main Street  
Suite 5000  
Dallas, Texas 75201  
Telephone: (214) 292-4055  
Facsimile: (214) 747-2091